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Statement submitted by Association de défense des droits de l'homme, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

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Statement

The Association de défense des droits de l'homme [Association for the Defence of Human Rights], founded in 2000, aims to combat human rights violations, particularly discrimination. Since late 2003 the organization has focused particularly on Islamophobia in view of the growing number of acts directed against Muslims and the lack of engagement of traditional anti-racist organizations in this area.

The frequency of acts of anti-Muslim racism has increased sharply since 2009, as shown in our own annual reports (an increase of 47.3 per cent from 2012 to 2013), and the reports of the Commission nationale consultative des droits de l'homme [French National Consultative Commission on Human Rights] and Amnesty International.

These annual surveys of acts of Islamophobia show that two criteria for discrimination coexist in the manifestation of Islamophobia: religion and gender. In almost 80 per cent of cases, the victim is female, mostly a woman wearing the veil.

Islamophobia is manifested in all areas of everyday life, in the form of denial of access to education, instruction, training, educational support, employment, health, marriage, citizenship, participation in the Journée défense et citoyenneté [day of defence and citizenship education for young French citizens] and leisure activities, and in the form of acts of verbal or physical violence.

Thus Islamophobia impedes the achievement of effective equality between the sexes and increased autonomy for women.

Two major prohibitionist laws have contributed to the legalization of discriminatory practices and the general exclusion of women wearing the veil from all areas of everyday life, especially the political, institutional, civil, economic, social and cultural spheres. These are the Act of 15 March 2004 prohibiting the conspicuous wearing of religious clothing or symbols in State primary and secondary schools (known as the schools anti-veil law); and the Act of 11 October 2010 prohibiting the concealment of the face in public areas (known as the anti-full-face-veil law).

Today, the entire French political arena is closed to Muslim women who wear the veil – with the exception of a few isolated local cases, such as the right-wing local councillor in Ezanville, who was boycotted by opposition politicians when she attended a council meeting in 2014 wearing a veil. Her opponents used the pretext of a radical interpretation of the principle of secularism, which claims that individual beliefs are strictly confined to the individual's private life. In 2009, the decision by the extreme left-wing party Nouveau Parti Anticapitaliste [New Anticapitalist Party] to present Ms Ilham Moussaid as its main candidate in the Vaucluse regional elections provoked such a hostile reaction that Ms Moussaid, whose candidature was not unanimously supported even within her own party, was forced to withdraw from the election campaign.

Abuses of power and incidents of discrimination also take place in the naturalization services, through the refusal to conduct an interview unless the woman removes her headscarf, or rejection of an application for citizenship because the candidate wears the veil.

The display in public of beliefs which the authorities consider suspicious may also be used to justify a refusal to conduct a marriage at the town hall or to insist on many interviews before the ceremony is allowed to go ahead.

Girls considering a career in the army as they reach the age of legal majority find that they are not allowed to participate in the Journée défense et citoyenneté unless they remove their veils. The Fédération Française de Football [French Football Federation] does not allow its sportswomen to wear veils while playing, citing the principle of secularism.

Following the example of public institutions, certain associations serving the most disadvantaged groups, such as Secours Populaire and Restos du Coeur, refuse offers of voluntary work from women wearing the veil and direct them instead to the Islamic charity Secours Islamique.

In State primary schools, mothers wearing the veil are systematically forbidden to go on school trips and sometimes encounter these same difficulties when picking their children up from school or when they wish to attend a parent-teacher meeting.

In middle and high schools, even if Muslim girls take off their veils as they enter the school, they are constantly criticized because their style of dress is considered overtly religious by the school staff. Wearing a headband which covers too much of the hair, over-long or very dark-coloured skirts (sometimes referred to as "Islamic skirts"), excessively loose-fitting clothing, etc. is used as a reason to exclude a pupil temporarily or permanently, which disrupts these girls' education or brings it to an end altogether, to say nothing of the psychological effects of these symbolic assaults.

Higher education establishments, both State and private, likewise discriminate against women who adopt a style of dress which the establishments consider too Islamic.

In France, women suffer considerable discrimination in the world of work, particularly in the areas of pay and promotion prospects. Islamic women who wear the veil are, in addition, subjected to discrimination based on their ethnic, social and religious origins. They are completely barred from working for the State if they display signs of their religious affiliation in public. The vast majority of private companies consider that employing women who wear the veil adversely affects their public image. In case law, wearing the veil when dealing with customers is considered a valid reason for dismissal, as well as wearing a veil when working with children in a private kindergarten where this is prohibited by the establishment's internal rules (decision of the Court of Cassation of 16 June 2014). Clearly, women who wear the veil are unable to work in France, a state of affairs which seriously affects their economic and social independence and, indirectly, promotes a lack of interest in education, instruction and training among girl children and adolescents, since their studies will never culminate in a professional career.

The same demands are illegally imposed by certain health professionals when women seek access to health care, in leisure activities (sports centres, bowling alleys, restaurants, etc.), at driving schools when women seek to obtain the driving licence which is their passport to freedom, etc.

The main effect of the Act of 11 October 2010 has been to impede the freedom of movement of women wearing full-face veils and to make them liable to police identity checks which are sometimes abusive, humiliating and violent.

Since 2013, the acts of physical violence committed in public against Muslim women, most of them veiled, by neighbours, strangers or police officers have come to epitomize the rise in sexist, Islamophobic acts and the indifference of the authorities and the media, which continue to act as channels for prejudice against Muslim women. Even when women are the victims, they are denied the right to speak or their word is doubted. For example, after the series of physical attacks on women in Argenteuil in May and June 2013, the media did not believe the statements of the last victim, who was pregnant at the time of the incident, until she lost her baby.

Statistics

Almost 80 per cent of Islamophobic acts are aimed at women.

Over 50 per cent of these acts occur in the context of public services, including over 20 per cent in an educational context and over 15 per cent in higher education.

Recommendations

- Ensure that acts of discrimination and violence committed by public authorities and the highest ranks of the State against women wearing the veil are strongly and publicly condemned.
- Make the fight against Islamophobia a national priority, on a par with the fight against other types of discrimination.
- Prepare a situation assessment (quantitative and qualitative) of Islamophobia (against women) in France.
- Oblige the police to record complaints, using a precise set of definitions, to facilitate the generation of statistics on violence against (Muslim) women.
- Produce studies on racial violence against women.
- Ensure that no further laws are adopted which stigmatize Muslim women and restrict their fundamental freedoms.
- Monitor the effectiveness of judicial and administrative sanctions imposed on institutions and organizations which discriminate against or stigmatize women because of their religion (or perceived religion).
- Take all appropriate measures to eliminate discrimination against (Muslim) women by any person, organization or firm.
- Take all appropriate measures to repeal the Acts of 15 March 2004 and 11 October 2010 and all regulations which discriminate against women.